



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
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DA 07-5019
Released: December 17, 2007

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CERTAIN
ASSETS OF CAPITAL TELECOMMUNICATIONS, INC. TO MANHATTAN
TELECOMMUNICATIONS CORPORATION
D/B/A METROPOLITAN TELECOMMUNICATIONS**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-288

Comments Due: December 31, 2007
Reply Comments Due: January 7, 2008

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer certain assets of Capital Telecommunications, Inc. (CTI) to Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications (MetTel) (together, Applicants).¹ CTI, a Pennsylvania corporation, provides competitive local exchange and long distance services in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Texas. CTI is a wholly owned subsidiary of Starvox Communications, Inc., a California corporation that provides competitive telecommunications services in multiple states. MetTel, a Delaware corporation, provides directly and through its wholly owned subsidiaries competitive local exchange and interexchange services in 48 states and the District of Columbia. MetTel is a wholly owned subsidiary of Metropolitan Telecommunications Holding Company (MTHC), a Delaware corporation. The following U.S.-based individuals or entities hold a 10 percent or greater direct ownership interest in MTHC: Marshall Aronow (28 percent); David Aronow (27 percent); Joseph Aronow Trust U/A 4/13/99 (13.5 percent); and Deborah Aronow Trust U/A 4/13/99 (13.5 percent). Applicants assert that no other person or entity holds a 10 percent or more interest in MetTel. Pursuant to the proposed transaction, MetTel will purchase certain local and long distance resale customers of CTI located in Texas. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Application Filed for the Transfer of Certain Assets of Capital Telecommunications, Inc.
to Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications,
WC Docket No. 07-288 (filed Dec. 12, 2007).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications.

² 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before December 31, 2007**, and reply comments **on or before January 7, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Matthew Warner, Competition Policy Division, Wireline Competition Bureau, matthew.warner@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Matthew Warner at 202 / 418-2419.

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